

Issued at Washington, DC, on this 6th day of November 1991.

James B. Lockhart III,
Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 91-27550 Filed 11-14-91; 8:45 am]

BILLING CODE 7708-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Parts 275 and 294

Privacy Act of 1974; Implementation; Redesignation of Parts

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule amendment.

SUMMARY: This document redesignates 32 CFR part 294 as part 275. This is an administrative change within Chapter I of title 32 of the Code of Federal Regulations for ease of use and to transfer parts into the appropriate subchapter.

EFFECTIVE DATE: November 15, 1991.

FOR FURTHER INFORMATION CONTACT: L.M. Bynum, Correspondence and Directives Directorate, Washington Headquarters Services, Pentagon, Washington, DC 20301-1155, telephone 703-697-4111.

SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Part 275 and 294

Banks, banking, Credit, Government publications, Newspapers and magazines, Privacy Act.

Accordingly, under the authority of 10 U.S.C. 133, 32 CFR Chapter I, is amended as follows:

PART 275—[REDESIGNATED FROM PART 294]

1. Part 294 is redesignated as part 275 and the authority citation for newly redesignated part 275 continues to read as follows:

Authority: 92 Stat. 3697 et seq. (12 U.S.C. 3401, et seq.)

§ 275.2 [Amended]

2. Newly redesignated § 275.2(b) is amended by changing "§ 294.6(a)" to "§ 275.6(a)".

§ 275.4 [Amended]

3. Newly redesignated § 275.4 is amended by changing "§ 294.14" to "§ 275.14".

§ 275.5 [Amended]

4. Newly redesignated §§ 275.5(a)(3) and 275.5(b)(1) are amended by changing "§ 294.14" to "§ 275.14".

§ 275.7 [Amended]

5. Newly redesignated § 275.7(b) is amended by changing the part designation "294" to "275" throughout the paragraph.

§ 275.8 [Amended]

6. Newly redesignated § 275.8 is amended in paragraph (b) introductory text by changing "§ 294.8(a)" to "§ 275.8(a)"; paragraph (c) by changing "§ 294.8(b)" to "§ 275.8(b)"; and paragraph (f) by changing "§ 294.14" to "§ 275.14" and "§ 294.8(a)" to "§ 275.8(a)".

§ 275.9 [Amended]

7. Newly redesignated § 275.9 is amended in paragraph (a)(2)(ii) by changing "§ 294.12" to "§ 275.12"; paragraph (b)(1) by changing "§ 294.8" to "§ 275.8"; paragraph (b)(3) by changing "§ 294.12" to "§ 275.12"; paragraph (c) by changing "§ 294.9" to "§ 275.9"; and paragraph (d) by changing "§ 294.14" to "§ 275.14".

§ 275.10 [Amended]

8. Newly redesignated § 275.10(d) is amended by changing "§ 294.14" to "§ 275.14".

§ 275.11 [Amended]

9. Newly redesignated § 275.11 is amended in paragraph (c) by changing "§ 294.12" to "§ 275.12" and paragraph (d) by changing "§ 294.14" to "§ 275.14".

§ 275.12 [Amended]

10. Newly redesignated § 275.12 is amended in paragraph (a) by changing the part designation "294" to "275" throughout the paragraph; paragraph (c)(1) by changing "294.9(a)(2)(ii)" to "275.9(a)(2)(ii)"; paragraph (c)(2) by changing "294.9(b)(3)" to "275.9(b)(3)"; paragraph (c)(3) by changing "294.11(c)" to "275.11(c)" both times it appears; paragraph (c)(4) by changing "294.13(c)" to "275.13(c)" both times it appears; and paragraph (d) by changing "§ 294.14" to "§ 275.14".

§ 275.13 [Amended]

11. Newly redesignated § 275.13(c) is amended by changing "§ 294.12" to "§ 275.12".

Enclosure 1—[Amended]

12. Enclosure 1, first paragraph, is amended by changing "§ 294.7" to "§ 275.7".

Dated: November 7, 1991.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer.

[FR Doc. 91-27343 Filed 11-14-91; 8:45 am]

BILLING CODE 3810-01-M

POSTAL SERVICE

39 CFR Part 265

Release of Information; Modification of Fees for Record Retrieval by Computer

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This final rule modifies the fees charged for furnishing Postal Service records retrieved by computer to members of the public. The modifications to part 265—Release of Information—revise the fees for retrieving data by computer to reflect current labor and administrative costs. The modified fees implement existing policy to recover the actual cost incurred by the Postal Service for the retrieval and represent no change in policy concepts.

EFFECTIVE DATE: December 16, 1991.

FOR FURTHER INFORMATION CONTACT: Rubenia Carter (202) 268-4872.

SUPPLEMENTARY INFORMATION: On September 4, 1991, the Postal Service published for comment in the *Federal Register* (56 FR 43736) a proposal to modify the fees charged for furnishing Postal Service records retrieved by computer to members of the public. Interested persons were invited to submit comments on the proposal by October 4, 1991.

No comments were received. Accordingly, the Postal Service hereby adopts the proposal without change and amends 39 CFR part 265 as follows:

List of Subjects in 39 CFR Part 265

Release of information, Postal service.

PART 265—RELEASE OF INFORMATION

1. The authority citation for part 265 continues to read as follows:

Authority: 39 U.S.C. 401; 5 U.S.C. 552.

2. Appendix A to part 265 is revised to read as follows:

Appendix A to Part 265—Information Services Price List

When information is requested that must be retrieved by computer, the requester is charged for the resources required to furnish the information. Estimates are provided to the requester in advance and are based on the following price list.

Description of services	Rate	Unit
A. Central Processing Unit Utilization based upon IMB 3090-200 Performance Standard:		
Batch Processing Services.....	\$3,600.00	Hour
On-Line Services.....	\$4,000.00	Hour
Channel Utilization:		
Direct access Storage Devices.....	.54	¹ 1,000
Tape Channel.....	.96	¹ 1,000
(*execution of channel program)		
Local Printing.....	1.20	² 1,000
B. Personnel Charges:		
Programming Services.....	53.00	Hour
Manual Unit Services.....	37.00	Hour

¹ EXCPs.² Print lines.

Stanley F. Mires,

Assistant General Counsel, Legislative Division.

[FR Doc. 91-27434 Filed 11-14-91; 8:45 am]

BILLING CODE 7710-12-M

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 4

RIN 2900-AF08

Total Disability Ratings for Pension Based on Unemployability and Age of the Individual

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The Department of Veterans Affairs has amended its rating schedule regarding disability requirements for pension applicants. The amendment regarding deletion of presumption of pension entitlement at age 65 is necessary to implement provisions of the recently enacted Omnibus Budget Reconciliation Act of 1990. The intended effect of this amendment is to remove presumption of pension entitlement at age 65, and to revise the age and disability requirements.

EFFECTIVE DATE: December 16, 1991.

FOR FURTHER INFORMATION CONTACT: Bob Seavey, Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 233-3005.

SUPPLEMENTARY INFORMATION: VA published a proposal to amend 38 CFR 4.17 in the Federal Register of May 3, 1991, (56 FR 20395-20396). Interested persons were invited to submit written comments, suggestions or objections on or before June 3, 1991. As no comments

were received, the proposed amendments are adopted without change.

The Secretary hereby certifies that these regulatory amendments will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612. The reason for this certification is that these amendments would not directly affect any small entities. Only VA beneficiaries could be directly affected. Therefore, pursuant to 5 U.S.C. 605(b), these amendments are exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

In accordance with Executive Order 12291, Federal Regulation, the Secretary has determined that these regulatory amendments are non-major for the following reasons:

(1) They will not have an annual effect on the economy of \$100 million or more.

(2) They will not cause a major increase in costs or prices.

(3) They will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Catalog of Federal Domestic Assistance program numbers are 64.101 and 64.104.

List of Subjects in 38 CFR Part 4

Handicapped, Pension, Veterans.

Approved: October 10, 1991.

Edward J. Derwinski,
Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR part 4 is amended as set forth below:

PART 4—SCHEDULE FOR RATING DISABILITIES

1. The authority citation for part 4 continues to read as follows:

Authority: 72 Stat. 1125; 38 U.S.C. 355.

Subpart A—General Policy in Rating

2. In § 4.17, the third, fourth, and fifth sentences of the introductory text are removed. In the sixth sentence, the word "reduced" is removed; and an authority citation is added at the end of the section to read as follows:

§ 4.17 Total disability ratings for pension based on unemployability and age of the individual.

* * * * *

(Authority: 38 U.S.C. 355; 38 U.S.C. 1502)

[FR Doc. 91-27218 Filed 11-14-91; 8:45 am]

BILLING CODE 8320-01-M

38 CFR Part 3

RIN 2900-AF28

Persian Gulf War Veterans' Benefits Act of 1991

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The Department of Veterans Affairs (VA) has amended its adjudication regulations concerning periods of war and entitlement to nonservice-connected pension benefits. This amendment is based on recently enacted legislation authorizing payment of benefits to veterans of the Persian Gulf War. The intended effect of this amendment is to assure that the regulations accurately identify the benefits to which veterans of the Persian Gulf War may be entitled.

EFFECTIVE DATE: This amendment is effective April 16, 1991, the date the legislation was signed into law.

FOR FURTHER INFORMATION CONTACT: John Bisset, Jr., Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 233-3005.

SUPPLEMENTARY INFORMATION: Section 332 of the Persian Gulf War Veterans' Benefits Act of 1991, Public Law 102-25, amended 38 U.S.C. 101 to add the Persian Gulf War, beginning August 2, 1990, and terminating on a date to be determined by Presidential proclamation or law, as an official "period of war" for the purpose of veterans benefits. VA has amended 38 CFR 3.2 to conform with this new statutory provision.

Section 333 of Public Law 102-25 amended 38 U.S.C. 501 and 541 to provide pension eligibility for Persian Gulf War veterans and their surviving spouses. VA has amended 38 CFR 3.3, 3.17 and 3.54 to conform with this new statutory provision.

Because these amendments implement statutory changes as outlined above, publication as a proposal for public notice and comment is unnecessary and VA is issuing a final rule.

Since a notice of proposed rulemaking is unnecessary and will not be published, these amendments are not a "rule" as defined in and made subject to the Regulatory Flexibility Act (RFA), 5

U.S.C. 601(2). In any case, these regulatory amendments will not have a significant economic impact on a substantial number of small entities as they are defined in the RFA, 5 U.S.C. 601-612. These amendments will not directly affect any small entity.

In accordance with Executive Order 12291, Federal Regulation, the Secretary has determined that this regulatory amendment is non-major for the following reasons:

(1) It will not have an annual effect on the economy of \$100 million or more.

(2) It will not cause a major increase in costs or prices.

(3) It will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with Foreign-based enterprises in domestic or export markets.

The Catalog of Federal Domestic Assistance program numbers are 64.104 and 64.105.

List of Subjects in 38 CFR Part 3

Administrative practice and procedure, Claims, Handicapped, Health care, Pensions, Veterans.

Approved: September 24, 1991.

Edward J. Derwinski,
Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR part 3 is amended as set forth below:

PART 3—ADJUDICATION

Subpart A—Pension Compensation, and Dependency and Indemnity Compensation

1. The authority citation for part 3, subpart A, continues to read as follows:

Authority: 72 Stat. 1114; 38 U.S.C. 210, unless otherwise noted.

2. In § 3.2, add new paragraph (i) and its authority citation to read as follows:

§ 3.2 Periods of war.

(i) *Persian Gulf War*. August 2, 1990, through date to be prescribed by Presidential proclamation or law.

(Authority: 38 U.S.C. 101(33))

§ 3.3 [Amended]

3. In § 3.3(a)(3), second sentence, remove the words "and the Vietnam era", and insert, in their place, the words "the Vietnam era and the Persian Gulf War".

§ 3.17 [Amended]

4. In § 3.17, first sentence, remove the words "or the Vietnam era", and insert,

in their place, the words "the Vietnam era or the Persian Gulf War".

§ 3.54 [Amended]

5. In § 3.54, a new paragraph (a)(3)(viii) is added and the authority citation at the end of paragraph (a)(3) is revised to read as follows:

§ 3.54 Marriage dates.

- (a) * * *
- (3) * * *

(viii) Persian Gulf War—January 1, 2001.

(Authority: 38 U.S.C. 532(d), 534(c), 536(c), 541(e), 541(f))

[FR Doc. 91-26991 Filed 11-14-91; 8:45 am]
BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 80

[AMS-FRL-4080-8]

Regulation of Fuels and Fuel Additives: Standards for Reformulated Gasoline

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of application for extension of the Reformulated Gasoline Program to Massachusetts and Pennsylvania.

SUMMARY: This notice publishes the applications of the Governors of the Commonwealths of Massachusetts and Pennsylvania to have the prohibition set forth in section 211(k)(5) of the Clean Air Act as amended by Public Law 101-549 (the Act) applied in their states. Under section 211(k)(6) of the Administrator of EPA shall apply the prohibition against the sale of gasoline which has not been reformulated to be less polluting in an ozone nonattainment area upon the application of the governor of the state in which the nonattainment area is located.

DATES: The effective date of the prohibitions described herein is January 1, 1995 (see the Supplementary Information section of today's notice for a discussion of the possible delay of this date).

ADDRESSES: Materials relevant to this Notice are contained in Public Docket No. A-91-02. This docket is located in room M-1500, Waterside Mall (ground floor), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. The docket may be inspected from 8:30 a.m. until 12 noon and from

1:30 p.m. until 3 p.m. Monday through Friday. A reasonable fee may be charged by EPA for copying docket materials.

FOR FURTHER INFORMATION CONTACT: Joanne I. Goldhand, U.S. EPA (SDSB-12), Motor Vehicle Emission Laboratory, 2565 Plymouth Road, Ann Arbor, MI 48105, Telephone: (313) 668-4504.

SUPPLEMENTARY INFORMATION:

I. Background

As part of the Clean Air Act Amendments of 1990, Congress added a new subsection (k) to section 211 of the Clean Air Act. Subsection (k) prohibits the sale of gasoline that EPA has not certified as reformulated ("conventional gasoline") in the nine worst ozone nonattainment areas beginning January 1, 1995. To be certified as reformulated a gasoline must comply with the following formula requirements: oxygen content of at least 2.0 percent by weight; benzene content of no more than 1.0 percent by volume; no heavy metals (with a possible waiver for metals other than lead); and the inclusion of deposit preventing additives. The gasoline must also achieve toxic and volatile organic compound emissions reductions equal to or exceeding the more stringent of a specified formula fuel or a performance standard.

Section 211(k)(10)(D) defines the areas covered by the reformulated gasoline program as the nine ozone nonattainment areas having a 1980 population in excess of 250,000 and having the highest ozone design value during the period 1987 through 1989. Applying those criteria, EPA has determined the nine covered areas to be the metropolitan areas including Los Angeles, Houston, New York City, Baltimore, Chicago, San Diego, Philadelphia, Hartford and Milwaukee. Under section 211(k)(10)(D) any area reclassified as a severe ozone nonattainment area under section 181(b) is also to be included in the reformulated gasoline program.

Any other ozone nonattainment area may be included in the program at the request of the governor of the state in which the area is located. Section 211(k)(6)(A) provides that upon the application of a governor, EPA shall apply the prohibition against selling conventional gasoline in any area in the governor's state which has been classified as not attaining the ozone ambient air quality standard. That subparagraph further provides that EPA is to apply the prohibition as of the date he "deems appropriate, not later than January 1, 1995, or 1 year after such